Case 1:08-cv-03161-MGC Document 3 Filed 04/25/2008 Page 1 of 1 DISTRICT COURT OF THE UNITED STATES SOUTHERN DISTRICT OF NEW YORK 20081788 Trans #-Date Filed: Docket/Index #: 08 CV 3161 PETER PALATINI Plaintiff(s) Witness Fee: \$0.00 Petitioner (s) ~ vs ~ File: No Court Date: Client Ref#: THE CITY OF NEW YORK, ET ANO Defendant (s) THE LAW OFFICE OF MICHAEL Respondent (s) FINEMAN, ESQ. 305 BROADWAY, SEVENTH FLOOR NEW YORK NY 10007 STATE OF NEW YORK: COUNTY OF SUFFOLK : SS: CURTIS DUNCAN , BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION AND IS OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK. That on April 10, 2008 at 02:53 PM, at NARCOTICS BUREAU BROOKLYN NORTH, 245 GLENMORE AVENUE, BROOKLYN NY 11207 deponent served the within SUMMONS AND COMPLAINT IN A CIVIL ACTION on P.O. FRANK CHIODI defendant therein named. By personally delivering to and leaving with said a true copy thereof, INDIVIDUAL And that he knew the person so served mentioned and described in said Defendant was identified by self admission **CORPORATION** at \_ \_, and that he knew the person so served to be AUTHORIZED to accept service. By delivering to and leaving with \_ Service was made in the following manner after your deponent was unable with due diligence to serve the defendant in person: By delivering a true copy thereof to and leaving with DETECTIVE SERRANO SUITABLE \_\_, a person of suitable age and discretion at AGE PERSON NARCOTICS BUREAU BROOKLYN NORTH , 245 GLENMORE AVENUE , BROOKLYN, NY,11207 \_\_\_ the said premise being the defendants / respondents place of business within the state of New York. AFFIXING TO By affixing a true copy thereof to the door of the said premises, the same being the defendant's within the State of New York. DOOR, ETC. Deponent completed service under the last two sections by depositing a true copy of the SUMMONS AND COMPLAINT IN A CIVIL MAILING ACTION in a postpaid, properly addressed envelope in an official depository under the exclusive care and custody of the United States Post Office in the State of New York, on April 14, 2008 to the Above Address FIRST CLASS MAIL IN AN ENVELOPE BEARING THE LEGEND "PERSONAL & CONFIDENTIAL" AND NOT INDICATE ON THE OUTSIDE THERE OF BY RETURN ADDRESS OR OTHERWISE THAT IT WAS FROM AN ATTORNEY OR CONCERNED AN ACTION AGAINST THOSE SERVED. **PREVIOUS** Deponent had previously attempted to serve the above named defendant/respondent. ATTEMPTS

A DESCRIPTION OF THE DEFENDANT OR OTHER PERSON SERVED ON BEHALF OF THE DEFENDANT IS AS FOLLOWS:

Approximate age 36 Approximate weight 180 Approximate height 5'8" Sex Male

Color of skin WHITE Color of Hair BLACK Other

CURTIS DUNCAN 1212924

Deponent spoke with Person Served who confirmed non-military status of the defendant. The person spoken to stated the defendant was not in the military service of the United States government or on active duty in the military service in the state of New York.

Sworn to before me this 04/17/2008

VINCENT J. GILLIS may Public State of New York No. 016149845**94** 

Qualified in Suitolk County Professional Process Servers LLC 1265 Sunrise Highway, Ste 107, Bay Shore, NY 11706 Explres July 29, 201/ (631) 647-9470, Fax (631) 647-9468